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Attorney Docket No.: 042390.P10208

**Remarks**

Reconsideration of the above referenced application in view of the enclosed amendment and remarks is requested. Claims 1, 7, 15, 17, 21, 24 and 28 have been amended. Existing Claims 1-22 and 24-31 remain in the application.

**ARGUMENT**

Claims 1-22 and 24-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPGPUB 2005/0138106 to Crookham et al. (hereinafter, "Crookham et al.") in view of USPN 7,025,674 to Adams et al. (hereinafter, "Adams et al."). This rejection is respectfully traversed and Claims 1-22 and 24-31 are believed allowable based on the following discussion.

Regarding Claim 1, the Examiner asserts that Crookham et al. teach *receiving electronic data on a computing platform from at least one external source, wherein the electronic data relates to online activity*. The Examiner cites [0087] in Crookham et al. However, Crookham et al. do not teach or suggest online activity at all. The Examiner seems to misunderstand the differences between Crookham et al. and the presently claimed invention. Crookham et al. teach a method to maintain an electronic scoreboard for sporting events and a method to operate lighting or other facility services at the sporting event. Crookham et al. do not teach or suggest data relating to an online activity, but to an actual sporting event. Further, Applicant's electronic scoreboard is not the same type of scoreboard as described by Crookham et al.

Applicant clearly defines the term "electronic scoreboard," at least on page 4 of the Specification, in part as:

"Here, the term electronic scoreboard refers to a compilation of one or more data fields, which contain data that is stored in one embodiment of the invention. In this embodiment, the data fields contain a collection of electronic data that is interrelated. In this context, interrelated means that the data shares some of the same qualities or represent the same or similar online events, such as, for example, the elapsed times for various transactions, or relate to various types of activity on a particular web site or set of web sites. In one embodiment, electronic transactions are tracked and records of these electronic transactions may be stored as electronic data. In this context, electronic transactions refer to any sort of activity on a particular web site, or set of associated web sites. In this embodiment, the stored data is then at least partially used to calculate one or more sample statistics or representative values." [emphasis added]

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As will be understood by one of ordinary skill in the art upon reading Applicant's description, the term "electronic scoreboard" is used in an abstract sense in the way the data is stored, related and displayed. A physical scoreboard showing scores or player statistics is not relevant. Applicant's scoreboard is to store data relating to online activity. This is in contrast to Crookham et al. who teach that sporting event information is stored so that it may be displayed on an actual scoreboard. The only online activity described by Crookham et al. is the access to the data and lighting control over the Internet. At no time does the cited reference teach that the data relates to online activity. Therefore this rejection in error and should be withdrawn.

The Examiner also asserts that Crookham et al. teach *calculating at least one measurement of updated scoreboard data*. The Examiner cites [0087]. However, at no point in [0087] do Crookham et al. teach or suggest statistics or measurement. The Examiner has the duty to provide a clear and concise citation to prior art relied upon to show limitations of the claimed invention. The Examiner has failed to provide an appropriate reference. Thus, Applicant respectfully requests that the rejection be withdrawn and if maintained in a subsequent office action with a proper citation, Applicant requests that the Examiner make that office action non-final. After cursory review of Crookham et al. in non-cited paragraphs, Applicant finds some mention of calculation of statistical data, for instance, a batting average. However, the Examiner has failed to cite the appropriate paragraph. Thus, the rejection is improper and should be withdrawn.

Moreover, even if Crookham et al. does teach some level of statistical calculation of data, it is not the same type of calculation as claimed by Applicant. By definition, the scoreboard data recited in the claims is for data related to online activity. The calculation of a measurement of this data is not the same as calculating a batting average. A batting average is not even similar to "online activity." The Examiner asserts that Adams et al. teach online activity. However, Adams et al. relates to electronic gaming. While electronic gaming might be considered to be relevant to live gaming (sporting events), neither one of these references is relevant to the claimed subject matter. Applicant is clear in the definition of an electronic scoreboard, and that definition has nothing to do with an actual score of a game. The term scoreboard is used merely as an analogy to the display of the data, and not to the type of data in the board. Visiting a sponsor, as taught by Adams et al. is not related to online activity that relates to data comprising

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online events and/or online electronic transactions. Linking a sponsor to enable one to redeem a promotional point has nothing to do with storing data in a scoreboard that relates to the online activity to be used for analytical processing. Thus, these references are improperly used and are not similar to the claimed invention.

While it will be clear to one of ordinary skill in the art after reading Applicant's disclosure that the claimed scoreboard is just an analogy and Applicant's claimed invention is to be used for online analytical processing of data and not for maintaining scores of live or online games, Applicant amends the independent claims to more precisely recite *wherein online activity relates to data comprising online events and/or online electronic transactions, the electronic data to be used for online analytical processing of data*. It should be plain to the Examiner that online events and electronic transactions have a completely different meaning in the art than scoring of online games. The claims must not be read in a vacuum and must be read as related to description and definitions disclosed in the Specification. As such, it will be apparent that the independent claims are not anticipated or made obvious by the cited references.

With regards to Claim 7, the Examiner asserts that Crookham et al. show *retrieving at least a portion of one or more measurement values related to the electronic data, wherein the electronic data relates to online activity* (citing [0081]). Crookham et al. does not teach any measurements related to the online activity comprising online events and/or online electronic transactions, the electronic data to be used for online analytical processing of data. Crookham et al. merely teach that scoring information may be broadcast over a network. Scoring information is not the same as *measurement values related to the electronic data, wherein the electronic data relates to online activity online activity comprising online events and/or online electronic transactions, the electronic data to be used for online analytical processing of data*. Scoring data is not measurement data as would be understood by one of skill in the art of online analytical processing of data. Further, a predefined arrangement of data [0091] is not the same as comparing the measurement values to one or more threshold values.

Claim 15 is allowable for the same reasons as Claim 1, reciting *collecting electronic data from at least one external source, wherein the electronic data relates to online activity, and wherein online activity relates to data comprising online events and/or online electronic transactions, the electronic data to be used for online analytical processing of data*. Neither

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Crookham et al. nor Adams et al. teach or suggest online activity relating to online events and/or online electronic transactions, the electronic data to be used for online analytical processing of data.

Regarding Claim 17, Applicant amends the claim to recite *wherein the interrelated electronic data is to be used for online analytical processing of data*. This distinction was made because of the embodiment claimed already recites that the electronic data is *regarding electronic transactions occurring via at least one selected web site*. This distinction of online analytical processing of data transactions is not taught by the cited references. More specifically, Claim 17 recites *receiving interrelated electronic data regarding electronic transactions occurring via at least one selected web site, wherein the interrelated electronic data is to be used for online analytical processing of data*. Neither Crookham et al. nor Adams et al. teach electronic transaction occurring via at least one web site wherein the interrelated electronic data is to be used for online analytical processing of data.

Regarding Claim 21, Applicant amends the claim to recite that the online activity *comprises online events and/or online transactions*. It will be apparent to one of skill in the art that an online event or transaction has a specific meaning in the art that is contrary to gaming information. More specifically, Claim 21 recites *receiving at least a portion of electronic data reports from at least one external source, wherein the electronic data reports comprise electronic data collected from one or more online activities comprising online events and/or online transactions*. Neither Crookham et al. nor Adams et al. teach wherein the electronic data reports comprise electronic data collected from one or more online activities comprising online events and/or online transactions.

Claims 24 and 28 recite *collecting electronic data from at least one external source, wherein the electronic data relates to online activity, and wherein online activity relates to data comprising online events and/or online electronic transactions, the electronic data to be used for online analytical processing of data*. Neither Crookham et al. nor Adams et al. teach electronic data relates to online activity, and wherein online activity relates to data comprising online events and/or online electronic transactions, the electronic data to be used for online analytical processing of data.

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The Examiner fails to present *prima facie* evidence of obviousness, as not all of the claimed limitations are shown in the cited references. Thus, Claims 1-22 and 24-31 are believed allowable.

### CONCLUSION

In view of the foregoing, Claims 1-22 and 24-31 are all in condition for allowance. If the Examiner has any questions, the Examiner is invited to contact the undersigned at (703) 633-6845. Early issuance of Notice of Allowance is respectfully requested. Please charge any shortage of fees in connection with the filing of this paper, including extension of time fees, to Deposit Account 50-0221 and please credit any excess fees to such account.

Respectfully submitted,

Dated: 16 Feb. 2007

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